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20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 VALERIE CASHON, on behalf of herself
23 and all others similarly situated,

24 Plaintiff,

25 v.

26 KINDRED HEALTHCARE
27 OPERATING, INC., a Delaware
28 Corporation; GENTIVA CERTIFIED
HEALTHCARE CORP., a Delaware
Corporation; and DOES 1 through 15
inclusive,

Defendants.

Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO EXTEND
DEADLINE TO FILE MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND HEARING
ON MOTION FOR PRELIMINARY
APPROVAL; ~~[PROPOSED]~~ ORDER**

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11 Attorneys for Defendants
KINDRED HEALTHCARE OPERATING, INC. and GENTIVA
12 CERTIFIED HEALTHCARE CORP.
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1 Plaintiff VALERIE CASHON (“Plaintiff”) and Defendants KINDRED
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.
3 (“Defendants”) (collectively, the “Parties”), through their respective counsel, hereby stipulate,
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the
13 parties to file the motion for preliminary approval by no later than January 11, 2018 and set the
14 hearing regarding preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have been and continue to work diligently to prepare the
16 long-form stipulation regarding class settlement but have not yet finalized that agreement;

17 WHEREAS, the parties need additional time to finalize that agreement after which
18 the motion for preliminary approval can be filed and heard;

19 WHEREAS, the parties believe that it would be most efficient for the parties and the
20 Court to continue by at least two weeks the deadline and hearing regarding motion for preliminary
21 approval;

22 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to
23 Court approval, as follows:

24 1. The deadline for Plaintiff to file her motion for preliminary approval currently
25 scheduled for January 11, 2018 shall be continued to January 25, 2018; and

26 2. The hearing on Plaintiff’s motion for preliminary approval currently
27 scheduled for February 1, 2018 shall be continued to February 15, 2018 or the Court’s earliest
28 available hearing date thereafter.

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IT IS SO STIPULATED.

Dated: January 10, 2018

/s/ Anthony Perez
ANTHONY PEREZ
CHARLES L. POST
BRENDAN J. BEGLEY
Attorneys for Plaintiff
VALERIE CASHON

Dated: January 10, 2018

/s/ Michael E. Brewer
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ALISON J. CUBRE
LISA LIN GARCIA
ANGELO SPINOLA
Attorneys for Defendants
KINDRED HEALTHCARE OPERATING,
INC., and GENTIVA CERTIFIED
HEALTHCARE CORP.

1 **~~[PROPOSED]~~ ORDER**

2 Having considered the Parties' Joint Stipulation to Extend Deadline to File Motion
3 for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary
4 Approval, and good cause appearing therefor, the Court hereby orders as follows:

5 1. The deadline for Plaintiff to file her motion for preliminary approval is hereby
6 continued from January 11, 2018 to January 25, 2018;

7 2. The hearing on Plaintiff's motion for preliminary approval shall be set on
8 ~~February~~ ^{March} 1, 2018 at 1:30 pm.

9 **IT IS SO ORDERED**

10
11 Dated: 1/10/18


HON. RICHARD SEEBORG